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Atari Online News, Etc.  
A-ONE Online Magazine  
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~ New AtarIrc Version!    ~ People Are Talking!    ~ MusicEdit 6.2 Out!  
~ Microsoft Making Case! ~ Ol' Hacker's Last News ~ Space Codes Hacked!  
~ ICQ Testing Ad Banners ~ Napster Seeks Appeal!    ~ 8-bit JPEG Viewer  
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-\* Cadenza Software Now Freeware \*-  
-\* eBay Monitors Copyright Infringement\*-\*  
-\* Trade Group Recommends Larger Online Ads! \*-

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->From the Editor's Keyboard  
"~~~~~"

"Saying it like it is!"

I'm afraid that I'm still in a somber mood this week. Hopefully, the worst is over. I don't usually talk about my real personal stuff here, as this is not really the place to do it. But, it's been my belief that "talking" about things tends to help.

The reason I've been out of sorts the past few weeks is because my mother had been diagnosed with terminal cancer six months ago. She had been doing fairly well up until three weeks ago. She was too much for my father and brother to care for at home, so she was admitted to the hospital. My wife and I visited her a couple of weeks ago. Shortly afterward, she was transferred to a nursing home. She was having good days and bad.

I have a clock radio that I use for my alarm clock. Monday morning, it went off as usual for work. The song that was playing was Bob Dylan's "Knockin' On Heaven's Door." Somehow, I knew something was wrong. A half hour later, my phone rang. It was my father calling to tell me that my mother was gone.

After numerous trips back and forth to Maine, we laid her to rest Wednesday. It's been a very trying week; and I'm exhausted both physically and emotionally. It's Thursday night, and I think I've been in a vegetative state all day.

So, instead of spending a lot of time moping about, I figured it would be good therapy to work on this week's issue. I appreciate Joe Mirando's offer to put it together this week, but I needed the distraction. Thanks, Joe.

So, instead of my editorially fuming about the potential screw-up and reversal of the Microsoft case, or seeing the potential for bigger and more intrusive web banner ads - I've been more personal than I would normally be. It has helped the grieving process; and I hope you'll forgive my using this forum in doing so. My mother didn't know anything about computers although my father used one to obtain knitting patterns and crossword puzzles for her. She only knew the name Atari because of my enjoyment of the 2600 many years ago. Regardless, I just want to close by dedicating this issue to her memory.

Until next time...

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## Cadenza Software Releases Back Catalogue As Freeware

"Due to pressures of work and MyAtari magazine ([www.myatari.net](http://www.myatari.net)), I have reluctantly decided to close Cadenza Software.

As a thank you to everyone who has supported Cadenza over the years, I am releasing every program I have written (including Web.Wizard) as FREeware!"

<http://www.cadenza-software.co.uk>

## New AES - VDI Binding Library

A new version of free AES - VDI binding library is available.  
MGEMLIB pl 39 is based on GEMLIB pl 38

What new?

- Fix a lot of bugs
- Add new calls of Magic
- Support of multi-threading for AES
- Speed optimisation
- No difference for between INT in 16 bit and 32!

This lib can be use now for GCC (16 -32), PureC, SozobonX and should be work with other C compilers.  
Source and binary are available

<http://gemtos.free.fr/libs.php3>

## AtarICQ 0.149 Released

Another release of AtarICQ is now available, with a few new features to explore:

- Use more lines for writing your messages
- UNDO will re-enter last sent message (even URLs)
- New LED-panel added, so you can see when aICQ is waiting for ack/data
- New sound event, sound\_msg\_sent

These are the most significant changes. Read the docs to learn about all the details.

<http://gokmase.atari.org>

## MusicEdit 6.2 Available

This new version of the notation-software MusicEdit has a new coded toolbox and a better integrated help. It runs on TT, Falcon, Atari-Compatibles as the Milan and on all other Ataris with MagiC or N.AES.  
A demo is available:

<http://www.musicedit.de>

### Final Ol' Hacker's Newsletters

The final two newsletters published by the now-defunct Ol' Hackers Atari User Group are available for download from the Ol' Hackers Newsletter Archive.

The final issues are July/August/December 2000 and October/November/December 2000

<http://www.atariarchives.org/oldhackers/>

### Version 0.5 of a8jdpeg JPEG Viewer Released

The latest version of a8jdpeg, the jpeg viewer for the Atari 8-bit is now available for download. a8jdpeg is an Atari 8-bit port of the C=64's juddpeg, written by Stephen L. Judd.

It is available for download at either of these addresses:

<http://rjespino.atari.org>><http://rjespino.atari.org>  
<http://rjespino.webhop.org>><http://rjespino.webhop.org>

The main changes are:

- o Added HIP viewing mode
- o Added HIP save mode
- o Reduced flickering in flicker modes
- o Files can be selected from the directory list
- o Wildcards can now be used when loading files

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PEOPLE ARE TALKING  
compiled by Joe Mirando  
[jmirando@portone.com](mailto:jmirando@portone.com)

Hidi ho friends and neighbors. Well, as I've said a couple of times in the last few issues, it seems that winter just isn't done with us here in the northeast. There are cold-snaps and snow in the forecast for the next week or so, and most of the people around me are wishing for more spring-like weather.

I'm pretty comfortable with whatever nature throws at us. I figure that a little extra snow this season will end up as extra water in the reservoir this spring and early summer.

Whenever we get a little bit of unexpectedly cold or snowy weather, I think of a joke that David Letterman told several years ago. For anyone who doesn't know, David Letterman is the host of 'The Late Show with David Letterman', a late night collage of guests, music, and humor. Letterman is a self-described "gap-toothed talk show weasel" and tends toward the absurd in his humor. This one particular joke was told after a snow and ice storm that took 'The Late Show"'s home city of New York by surprise.

"Due to the recent storm and cold weather", Letterman said, "Tomorrow's seminar on global warming has been cancelled".

It made me laugh, but there's a not-so-hidden truth there. We tend to see little fluctuations without seeing the whole. A bout with cold weather grabs our attention while the facts that our polar ice sheets are shrinking and the world-wide ocean temperature seems to be rising escape our attention. Perhaps it's an observation of convenience, or perhaps it's the fact that the human race's cumulative attention span is shrinking as fast as the polar ice.

Now don't get me wrong. I'm not one of those who want to see us cutting out the use of fossil fuels no matter what the cost, or an end to all logging, hunting, fishing, and anything else that makes use of our natural resources. There's a difference between use and abuse, and I think we need to take a hard look at which side of the line we want or need to be on, but let's face it... we need these resources. We just need to use them responsibly.

What does any of this have to do with Atari computers?? Nothing whatsoever. Ain't it cool? <grin>

Well, let's get to the news, hints, tips, and info from the UseNet.

From the comp.sys.atari.st NewsGroup  
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Andy Ball asks:

"Out of interest, can the MegaSTE use an internal hard disk? If so, is this via a separate, internal SCSI host adaptor or some sort of ACSI <-> SCSI adaptor? I know very little about ACSI."

Dr. Uwe Seimet, author of HD Driver, tells Andy:

"Sure, most of these machines were equipped with an internal drive right from the start, often a SEAGATE 157N.

It's an ACSI <-> SCSI adapter manufactured by Atari. The only machines produced by Atari with a real SCSI port were the TT and the Falcon.

John Garone asks:

"Anyone buy from ASH lately? I've been trying to get a price for Papillon from them (Oliver) since Dec., 2000!!!"

Hallvard Tangeraas asks about finding a particular program:

"Anyone know where I can download the disk-copier "Acopy" from?"

Lyndon Amsdon tells Hallvard:

"That's an old one, if I remember correctly. Try umich archive under a section called copiers, I expect you'll find it there. It usually comes up with old software for me."

Hallvard tells Lyndon:

"Didn't find any "copiers" directory there. Had a look under "diskutils" where all sorts of other copiers are found, but no Acopy. The website (there's no more FTP site at Umich as far as I know) is:

<http://www.umich.edu/~archive/atari/>

Anyone else know?

I'm trying to copy a protected disk which I've legally bought, but don't want to risk losing. I feel entitled to being able to make my own backup in case something goes wrong with it. Especially since the program isn't sold or supported any longer, so I can't even buy a new copy if something goes wrong with the original disk.

I have no intentions of giving away/selling copies either. This is for my own use only.

I've tried many copy programs, but someone suggested I give Acopy a go. If this doesn't work I might have to buy an extra disk drive and wire up a "Blitz" cable, hoping that'll do the trick."

'Phantommm' asks for help with his ISP connection:

"Having a problem with my ISP, maybe someone will know how to solve.

Recently, my ISP announced that they are changing the Number the folks in my area use to access the Net.

They have gave me 2 numbers to try and use. None of them work! The problem is that when my modem tries to connect to their modem system the carrier is dropped at the point were normally it would connect!

I'm fairly sure the problem is not on my end as all I am doing is changing the access number.

Also, I can access other ISP's in my area just fine, I'm just not registered with any of them at the present time. (That will change very soon!)

I have been speaking with the Techs on the matter and they have told me that everything is the same except that they are using some type of WinModem System. I think this is just a large Modem that handles all Users Connections.

I have also noticed some strange Tones when my modem is trying to connect to these new numbers. Some times it is a High pitched Tone, other times it is very Low. And sometimes it sounds just like any normal modem does when trying to connect but still hangs up the phone line just when it sounds like you are going to get a connection!

Now I Use Sting on a CT2B Falcon, my modem is a Hayes Accura 56K modem. I have also been trying to connect to the new numbers using the Term program STalker. It connects fine to my old normal number, but will not connect to the new numbers. Stalker also connects to the other ISPs in my area as I have already mentioned above. I've tried just about everything I can think of. I've been using a modem to connect to BBS for at least 10 years so I do know that the problem isn't with my Computer or modem unless there is some type of Modem incompatibility that I'm not aware of.

Now does anyone know what the problem with the ISP is?

I did talk with a Engineer at the ISP, and he mentioned something about the way I am getting routed to the ISP and I might be getting connected to an ASCEND Terminal or something like that. I did have some problems months back similar to this. Instead of connecting to the ISP, I was getting an ASCEND Prompt instead of a LOGIN prompt. But now I can't even get connected to see if that is the case or not.

If you have any answers to this problem then E-mail your replies.

If the problem is not found in a couple of days then I will loose access to the NET with this ISP and will have to switch to another one. Which is no major problem. But I would like to stay with this one if possible.

Now folks that exchange e-mail with me or folks that are in the middle of buying/selling/trading with me. All deals will still be on. But you might not get a e-mail from me for a few days, until I get setup somewhere else.

If you have anything important to e-mail me, then do it now because I will loose access probably by Wednesday if the problem isn't fixed.

Thanks and I'll be BACK, Bigger and Better, Stronger and Faster!!!"

Dan Ackerman tells Phantomm:

"Like you I doubt it's the init string. It could be the phone company.

The Ascend is a very good probability though. Have your ISP check if there are any announcements or advisories about the new hardware they are installing. You are using a Hayes modem that may not properly talk to it unless they turn a switch on in the software configuration. I have seen this before.

I haven't heard of this (Windows-only ISPs), but it wouldn't surprise me. However luckily, most windows coders can't anymore. It's very likely that if you have a TCP/IP stack that does an active negotiation that it will continue to work with it. I complained to my ISP about a software change they made once. It made it so that I had to connect 3 or 4 times before I got a good connection, it turned out that they had installed this software 10 months prior and it just hadn't started working reliably til recently. They went in and checked it and discovered that it was misconfigured. But back to the first topic, if you have an active negotiation (STiK does this, I'm sure MiNT Net can be told to do it if it doesn't by default, and I would be surprised if STiNG didn't do it) you will probably cause the ISP to flip over and negotiate the connection for you. By active, I mean the following. Most of the time people wait for the remote end to send you data and

then you reply to it until your connection is established. There is the second path though, that is documented in the RFC where you request the info from the ISP and they reply to you. It's a different path through the state machine, but it works. I can only speak for STiK2 obviously, but with it, it waits for the remote to speak to it and if it doesn't in a set amount of time, it initiates the negotiation itself with the ISP.

As I said in the first part have them check on an service announcements about their equipment. It's possible that it will not accept connections from your modem until they reconfigure it. Since you have a Hayes 56k modem, they shouldn't complain that you are using a crappy modem."

Kevin Savetz tells us about someone's idea of what a computer should be:

"Techtv.com says Atari (they don't even pick a particular model, they simply complain about everything from the Atari 400 to the ST) is 7th crappiest computer in history.

I now have a new mortal enemy.

By the way. The C64, Apple //, TI-99, and TRS-80 also made the list. Apparently computing was supposed to jump straight from the abacus to 1 GhZ Windows 2000 machines overnight.

Be offended for yourself at:

<http://www.techtv.com/help/hardware/story/0,23008,3312370,00.html> "

Richard McGorman asks about reseating chips in an ST:

"I've had a 520ST since 1986. It periodically stop working every few years and I have to re-seat the chips in order to get it working again.

Is this a common occurrence for others? I've never heard of this problems with other computers built in the mid to late 80's."

Bob Retelle, a guru-in-good-standing since time began... at least as far as the ST series of computers is concerned, tells Richard:

"The problem with the 520 and 1040 STs is that the motherboard is mounted inside the same case as the keyboard.

The long, narrow PC board tends to flex as you pound on the keyboard, eventually causing the chips to "creep" up out of the sockets.

The very early 520STs exhibited this quite a bit, so eventually Atari put metal clips on the square socketed chips, but the ROM chips still tended to creep because of the flexing.

Systems like the Mega and MegaSTe don't have this problem because the keyboards are separate from the CPU unit.

This creeping chips problem lead to several "popular fixes", predominant among which was the "Atari drop fix", where you'd lift the ST about 12" above the work surface and let it drop. If that didn't fix it, you'd hold it higher and higher, until either the chips made better contact or you smashed the thing and it became moot.

My favorite fix, short of actually disassembling the computer to press



the chips down is to hold the computer in both hands, one hand at each end of the case, then "twist" the case almost like wringing out a wet sponge (gently though!).

Actually, after I installed a 4 Meg upgrade, I ended up just leaving the screws out of the case, and ditching the metal RF shield so I could just pop the top off and push everything back into its socket at a moment's notice.

Interesting to note that people would put up with an annoyance like that because they liked the computer so much..!"

Well folks, that's it for this week. Tune in again next week, same time, same station, and be ready to listen to what they are saying when...

PEOPLE ARE TALKING

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->In This Week's Gaming Section - 'NBA Hoopz'! 'CMX 2002'!  
    " " " " " " " " " " " " " " " " " " " " " "  
                                'Tiger Woods PGA Golf Tour 2001'!  
                                'Army Men: World War - Final Front'  
                                And more!
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->A-ONE's Game Console Industry News      -    The Latest Gaming News!  
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# Midway Sports Asylum's All-New NBA Hoopz Catches Fire With NBA MVP Shaquille O'Neal

Midway Sports Asylum announced that NBA Hoopz is scheduled to ship this week for the PlayStation2 computer entertainment system. Midway shipped NBA Hoopz for the PlayStation game console, Sega Dreamcast and Game Boy Color last week. The only dedicated extreme-style basketball videogame this season -- NBA Hoopz -- showcases exclusive 3-on-3 action, mini games and NBA Big Man Shaquille O'Neal's motion-captured moves.

NBA Hoopz is licensed by the NBA and features all of the NBA teams, signature moves of popular NBA superstars and over-the-top action not included in any other basketball videogame. In the game, players control larger-than-life NBA stars that showcase detailed faces and bulging muscles. An "On-Fire" feature allows players in the game to catch fire when playing well, and enhances the extreme-style of gameplay.

''Midway Sports Asylum is setting a new standard for sports games with NBA

Hoopz' outrageous, high-flying animations and exclusive 3-on-3 gameplay," said Helene Sheeler, vice president of Marketing, Midway. "Only Midway Sports Asylum can take real basketball and inject it with over-the-top features that give you more than a simulation experience can."

NBA Hoopz features more than 500 new rim-rattling animations as well as secret courts and players, a new Create-A-Team option, enhanced Create-A-Player feature, and mini-games (2ball, '21," Around the World, three-point shootout, and Hoopz practice). High-powered play-by-play commentary catches all of the outrageous gameplay, while explosive music and sound effects recreate the courtside action and excitement found at an actual basketball game.

"NBA Hoopz is going to be a big hit with kids and pro athletes because you get to do extreme moves in the game that you only wish you could do in real life," said Shaquille O'Neal, Los Angeles Lakers center and league MVP. "The 3-on-3 feature in the game is especially exciting because it allows for more over-the-top action."

#### All Platforms Features

All-new dedicated 3-on-3 format gives the user the chance to play as a guard, forward or center  
Hidden courts include Roof-Top, Oil Rig, Beach and other exotic locations  
The Hoopz Button feature triggers many special moves including backing down, give-n-gos and alley-oop jams  
Arcade-style gameplay featuring players soaring above backboards and hitting jumpers from all over the court. After getting three consecutive baskets, players literally "catch fire," to pull-off even more unbelievable moves and shoot with greater accuracy

#### PlayStation 2 Computer Entertainment System Features

More than 500 animations, including all-new motion captured moves from NBA MVP Shaquille O'Neal, arcade favorites like the "bicycle" and signature moves like the "tomahawk," the "windmill" and the "360(Degree) Jam"  
Mini Games: 2ball, the playground standard '21," Around the World, Hoopz practice or head out for three-point shootout  
Hidden players include NBA Mascots and more  
Create-A-Team -- gamers can build their own team from the entire roster of NBA teams  
Create-A-Player -- build yourself or an alter ego into the game and customize everything from height and weight to power, speed and dunking ability  
New instant-replay option allows users to watch their most electrifying moves  
Life-like 3D player models with bulging muscles and real player faces  
Unrivaled 3D game engine operating in various environments from indoor arenas, tropical beaches and other unique settings  
Dynamic camera angles to capture all the ankle-breaking moves, head-twisting passes and sky-walking slams  
Full analog and vibration control compatibility with intuitive, fast-action

arcade-style controls

Explosive music and sound effects that help to bring the action to a fever pitch

High powered play-by-play commentary describes all the outrageous action

Track important stats, games played and games won or lost, then watch the leader board for ``Season Highs"

#### Dreamcast Features

More than 500 animations, including all-new motion captured moves from NBA MVP

Shaquille O'Neal, arcade favorites like the ``bicycle" and signature moves like the ``tomahawk," the ``windmill" and the ``360(Degree) Jam"

Mini Games: 2ball, the playground standard ``21,"Around the World, Hoopz practice or head out for three-point shootout

Hidden players include NBA Mascots and more

Create-A-Team -- gamers can build their own team from the entire roster of NBA

teams

Create-A-Player -- build yourself or an alter ego into the game and customize

everything from height and weight to power, speed and dunking ability

New instant-replay option allows users to watch their most electrifying moves

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#### PlayStation Game Console Features

More than 500 animations, including all-new motion captured moves from NBA MVP

Shaquille O'Neal, arcade favorites like the ``bicycle" and signature moves like the ``tomahawk," the ``windmill" and the ``360 Degree Jam"

Create-A-Player -- build yourself or an alter ego into the game and customize

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EA SPORTS Brings Tiger Woods And  
The PGA TOUR To The PlayStation 2

First True Next Generation Golf Sim, Tiger Woods  
PGA TOUR Golf 2001, Ships This Week

Electronic Arts delivers Tiger Woods to golf fans and the PlayStation2  
computer entertainment system owners, as Tiger Woods PGA TOUR Golf 2001  
ships for the PlayStation 2 console. The newest game of the Tiger Woods  
franchise is the first true next generation golf simulation and EA SPORTS  
tees up its most comprehensive console golf title to date: there are six  
elite PGA TOUR professionals, three prestigious courses, faster gameplay,  
crisper graphics and several different game modes, including a new EA  
SPORTS PGA TOUR Challenge mode and a Play Now mode.

``We took the best golfer in the world as well as three of the most  
beautiful and well-known golf courses in this country and developed the  
best-looking and fastest-playing golf game to date," said John Vifian,  
executive producer of Tiger Woods PGA TOUR Golf 2001. ``PlayStation 2 fans  
and golfers alike have been waiting to get their hands on a game featuring  
Tiger Woods on a next generation system, and they will really enjoy the  
look and feel of this one."

In addition to Tiger Woods, the game includes a deep lineup of PGA TOUR  
champion golfers. Brad Faxon, winner of the 2001 Sony Open, Mark  
Calcavecchia, winner of the 2001 Phoenix Open, Stewart Cink, Robert Damron  
and Justin Leonard are all featured in the game and had their swings, putts  
and even their attitudes motion captured for the game. The different game  
modes accommodate any golfer's interests, ranging from ``skins," to match  
and stroke play, a new Play Now mode, as well as the new EA SPORTS PGA TOUR  
Challenge. TOUR Challenge mode allows players to compete as amateurs, turn  
pro and have their skills tested at every step on their way up the  
competitive TOUR ladder. The new Play Now mode challenges users to complete  
21 competitive scenarios and puts players right into the middle of a  
competitive situation.

With the exclusive license of the Pebble Beach Golf Linksfi, players can  
choose to play on the famed course or two other elite courses inside the 17  
Mile Drive on California's Monterey Peninsula, SpyGlass Hill Golf  
Course and Poppy Hills Golf Course. The beauty, grace and challenge  
of each course are reflected in Tiger Woods PGA TOUR 2001.

Tiger Woods PGA TOUR Golf 2001 for the PlayStation 2 console continues to  
push technology to the next level with its incredible graphics and real  
time interaction, featuring the first full 3-D golfer in the Tiger Woods  
golf franchise. The 3-D game engine delivers full screen, real-time dynamic  
cameras that follow the ball in flight. Complementing the courses, players  
and gameplay modes are the technical aspects of the game that combine with  
the features to deliver a well-rounded and smooth-playing game. Precise  
golf ball physics are engineered specifically for accurate ball flight,  
spin, bounce and putting roll, but players must also be alert to the wind  
meter and lie indicator in order to get off the best possible shot.

Tiger Woods PGA TOUR 2001 is rated ``E" (Everyone) by the ESRB. The suggested retail price is \$49.95.

THQ Brings Heralded Motocross Franchise to Game Boy Advance  
With "CMX 2002 Featuring Ricky Carmichael"

THQ Inc. announced the definitive handheld motocross game for Nintendo's upcoming Game Boy Advance system, ``CMX 2002 featuring Ricky Carmichael." Following the success of the ``Championship Motocross" franchise on PlayStation and the growing popularity of the sport, THQ looks forward to expanding its motocross franchise with an all-new game for Nintendo's next generation handheld system.

Currently in development by Tiertex, ``CMX 2002 featuring Ricky Carmichael" will offer 30 professional riders and freestylers, 20 licensed events, five fully customizable bikes and an extensive library of tricks and combos, delivering the most complete handheld interactive motocross experience. ``CMX 2002 featuring Ricky Carmichael" is scheduled for release in summer 2001.

``THQ is thrilled with the success of the CMX franchise," said Michael Rubinelli, vice president of product development, THQ. ``We are committed to dominating the motocross genre and plan to deliver the most realistic motocross game on the Game Boy Advance with more real tracks, riders, equipment and sponsors than any handheld system has ever seen."

``CMX 2002 featuring Ricky Carmichael" features a 30 rider roster complementing Ricky Carmichael with seven of the current top 10 from the 250cc class, major 125cc class factory riders and some of the flashiest World Freestyle Association professionals. Riders can perform tricks and combos as freestylers like Carey Hart, Trevor Vines and Mike Jones or race as top names including Ricky Carmichael, Mike LaRocco and Kevin Windham.

THQ also has existing deals to feature licensed events and tracks including THQ's own title-sponsored event -- the THQ US Open. The Outdoor National Championships, Loretta Lynn's Amateur Nationals and the Free Ride Moto-X Championships will also be key events in ``CMX 2002 featuring Ricky Carmichael."

Showcasing high-resolution graphics, the ability to feature up to eight riders on the screen at once, 20 licensed tracks, a robust freestyle mode, real freestyle events, real amateur races, authentic equipment upgrades and actual motocross sponsors, ``CMX 2002 featuring Ricky Carmichael" clearly has the ``holeshot" over the competition.

3DO Ships Army Men: World War - Final Front for the PlayStation

The 3DO Company announced that it has begun shipping the Army Men: World War - Final Front game for the PlayStation game console. The Army Men: World War - Final Front game is the follow-up to the latest and popular Army Men: World War - Land Sea Air game and the final episode for the PlayStation game console in the highly successful Army Men: World War series.

The Army Men: World War - Final Front game finds Tan forces on the move again, prompting the Green military juggernaut to spearhead a global assault against enemy installations located in a wide variety of settings including underwater, desert, mountain range, and more. A feature new to the Army Men: World War series, you are handed total control to numerous war vehicles such as tanks, submarines, and assault rafts. Combat reaches a fever pitch during 15 solo and 16 two-player missions that see commanders delve deep into enemy territory. Thanks to a re-designed boot camp tutorial with skills ranging from weapon proficiency, vehicle maneuvers, and battle techniques, even rookies will be able to fight alongside veterans. The multiplayer mode has also been enhanced to extend the replay value to an all new high. With new features like Co-op, Grudge Match, and Steal the Bacon, as well as a groundbreaking, comprehensive two-player editor it's a new battle every time!

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A-ONE's Headline News  
The Latest in Computer Technology News  
Compiled by: Dana P. Jacobson

#### Case Against Microsoft Questioned by Court

An appeals court on Monday raised doubts about the U.S. government's case against software giant Microsoft Corp. and criticized the trial judge who ordered the break-up of the company. In the first of two days of oral arguments before the U.S. Court of Appeals, the seven-judge panel interrogated lawyers for both sides, but reserved most of its skepticism for the government.

The judges, seated beneath four marble statues in the cavernous ceremonial courtroom, questioned the underlying logic of case against Microsoft, saying the destruction of its monopoly may just lead to another firm dominating the market. "You're going to replace one monopoly with another if you're right," appeals court chief judge Harry Edwards told government lawyers.

Edwards also took the unusual step of complaining about some of the fact findings of the trial judge in the case, U.S District Court Judge Thomas Penfield Jackson.

Jackson's findings branded Microsoft an abusive monopolist and led to his break-up order against the company. But Edwards said in court that some of them did not appear to be supported by evidence presented during the trial.

"When I find factual findings, and there's no citation, I don't think my obligation as an appeals court judge is to defer to them," Edwards said. "It's got to be supported by something other than the statement of the District Court."

The appeals court, which may take several months to rule, spent nearly

three hours hearing arguments over whether Microsoft illegally maintained its monopoly in personal computer operating systems by crushing a rival Web-browser made by Netscape.

Microsoft, the world's largest software company, has already said in written filings that its behavior was lawful, the lower court judge was biased and the breakup remedy radical and inappropriate.

But the U.S. Department of Justice and 19 states argue the findings of District Court Judge Thomas Penfield Jackson should stand, citing evidence presented during 78 days of trial.

Legal experts present in the court said they had expected the government to come under fire from conservative judges on the panel but the attack by Edwards was significant.

During the morning session, the judges' questions ``did much more damage to the government than they did to Microsoft," said Robert Lande, a law professor at the University of Baltimore who attended the session.

Attorney Richard Urowsky, opening for Microsoft, told the seven-judge panel that the entire case was undermined by the widespread availability of Netscape's browser which the lower court found Microsoft had tried to eliminate as a competitive threat.

``Nothing Microsoft did foreclosed Netscape from any portion of the marketplace," Urowsky said.

Microsoft took some pointed questions on the logic of its own arguments on Netscape. On the one hand it has argued that Netscape was a competitor but on the other it has also said it presented no threat as an alternative platform or ``middleware" to the Windows operating system.

At one point, Edwards challenged Urowsky to come up with a good reason why the company refused to let computer manufacturers remove its Internet Explorer browser. The practice, he said, "certainly looks predatory."

Department of Justice attorney Jeffrey Minear, meanwhile, had to contend with an even bigger barrage of questions from Edwards and Judges Stephen Williams, Raymond Randolph and Douglas Ginsburg about whether the market naturally tended toward a single, dominant standard.

Minear said the government case was ``all about allowing the competitive process to determine who will be the winner in the market."

But the chief judge pressed Minear on whether the winner would be a monopoly. ``You don't seriously assume that you have competing middleware operations, do you?" asked Edwards.

``I can't say that it's inconceivable that a situation could arise where there would be..." Minear answered before Edwards cut him short with: ``You haven't argued that."

The judges also asked Minear how Microsoft's attack on Netscape could have been aimed at maintaining its monopoly when Netscape's own chief executive testified that his company never intended to compete with Windows.

Had Netscape really been shut off from the marketplace, they asked, government attorney John Roberts, when documents said consumers had

downloaded millions of the company's browsers over the Internet?

During the afternoon, the arguments moved on to the government's claim that Microsoft illegally tied its Internet Explorer browser into Windows 98 in order to destroy Netscape.

Urowsky stuck to Microsoft's long-held argument that integrating the browser into Windows benefited consumers by allowing the software to work seamlessly together.

"It may give benefits, but the question is why force people to take it," Roberts responded.

Edwards and Williams expressed doubts about the government's argument again. They questioned Jackson's finding that Microsoft had actually harmed consumers by refusing to let computer makers remove Internet Explorer.

In particular, Edwards asked Roberts for evidence to support Jackson's contention that some consumers wanted to buy copies of Windows without any browser.

Legal analysts said afterward that it's not surprising that the government came under tougher scrutiny. Like an army that has conquered a lot of territory, "It's got a lot of ground to defend," said William Kovacic, a professor of antitrust law at George Washington University.

Kovacic said the government attorneys will have to try to come up with answers for some of the questions tomorrow or risk losing large pieces of its case. If the ruling is substantially pared back by the appeal judges, analysts say that might lead antitrust enforcers in the new Bush administration to seek a settlement.

On Tuesday, lawyers will debate the government's charge that Microsoft used its dominant position to attempt to monopolize the Internet browser market, and whether the court should uphold Jackson's decision to split the company in two. Finally, the judges will hear arguments over Microsoft's assertion that Jackson was biased against the company and conducted the lower-court trial unfairly.

#### Judges Voice Doubt on Order Last Year to Split Microsoft

The government suffered a second difficult day of questioning in its Microsoft antitrust case today when a Federal appeals court cast doubt about a judge's order last year to break the company in two.

Most of the seven judges on the appeals panel posed tough questions to a Justice Department lawyer about the justification for the breakup, noting in particular that the only companies ever broken up in the 111-year history of the Sherman Antitrust Act had been formed through mergers and acquisitions.

In Monday's arguments, the judges expressed deep skepticism about the government's central theory - that the company illegally maintained a monopoly in computer software. With today's comments, the judges cast fresh doubt that the order by Judge Thomas Penfield Jackson would survive the appeals court's review.



In three hours of oral arguments today, the judges of the United States Court of Appeals for the District of Columbia Circuit, pilloried Judge Jackson for granting interviews with the news media, including The New York Times, before the case was completed.

Microsoft has said the judge's comments, which were critical of the company, its lawyers and one of its founders, William H. Gates, showed the judge was biased and provided a reasonable ground for vacating his judgment. Among other things, Judge Jackson also criticized a three-judge panel of the appeals court in an earlier related proceedings, saying that the judges had "made up 90 percent of the facts on their own."

Today, the appeals judges responded in kind, accusing Judge Jackson of blatantly violating a judicial canon that restricts judges from commenting about pending cases. One after another, the judges attacked the comments Judge Jackson made to reporters.

From Chief Judge Harry T. Edwards: "There are lots of things that we think and feel about advocates and parties during the course of a proceeding. That doesn't mean that we're entitled to say, because those feelings developed during the course of a proceeding, we're going to run off our mouths in a pejorative way, because there is an appearance problem. We don't do it for that reason. And the system would be a sham if all judges went around doing this."

From Judge Stephen F. Williams, referring to a statement Judge Jackson made comparing drug gangs to Microsoft for, he said, continuing to create evidence of wrongdoing even after coming under investigation: "He chose a particular metaphor. Metaphors are very powerful. And the metaphor he chose was the one best devised, that you could imagine, except possibly the Holocaust, to indicate that Microsoft was beneath the pale, beyond the pale."

From Judge David B. Sentelle: "If you're a member of the public and you're trying to decide or you're forming an impression as to whether the judge is biased or not, what possible legitimate reason could you assign to a judge's going to media reporters and making derogatory comments about the parties to a lawsuit that had been tried in front of him, unless the judge were biased against him?"

Government lawyers made little effort to defend Judge Jackson's comments but sought to contain the damage that the comments had done to the case by trying to persuade the appeals court that there was ample independent evidence to support breaking up the company.

Under Judge Jackson's order, Microsoft would be broken into separate and competing companies, one for its Windows operating system and one for its other computer programs and Internet businesses. It would also be forced to comply with a long list of restrictions on its conduct lasting three years if the breakup order withstood appeal, and 10 years if it did not. The order was stayed during appeals.

The appeals court has said it will act quickly, but has not said when it will hand down its decision. After articulating broad principles of law, the court is likely to send the case back to the district court.

It now seems clear that at the very least, the appeals court will assign the case to a judge other than Judge Jackson after it is through reviewing it. But a few of the appeals judges suggested today that Judge Jackson's

comments may do significantly more to damage the government's case, prompting the appeals panel to reverse a number of his factual findings on the ground that he was biased.

"If we do not indulge the presumption of impartiality on the part of the finder of fact, then it's no longer rational to subject it to that lax a standard of review," Judge Sentelle said. "If there are disputed questions of fact, why is the one chosen by the trier of fact entitled to deference any more, if he's not an unbiased finder of fact?"

Throughout the oral arguments, there were clear signs of which side the appeals panel had found more persuasive. At one point in the arguments, Microsoft became so confident that it took the unusual step of surrendering the remainder of the time it had to challenge the findings that it had tried to monopolize the market.

And later in the day, the judges asked for only minor clarifications of the presentation by a second Microsoft lawyer who was complaining about the breakup order. They allowed the lawyer to read virtually uninterrupted for nearly a half-hour from his argument that Judge Jackson had failed to give the company ample opportunity to present its case.

"In an abrupt reversal of position, the district court elected to enter sweeping relief requested by the government without affording Microsoft any process whatsoever," said Steven L. Holley, a lawyer representing Microsoft. "That was a clear abuse of discretion."

"As a result of the district court's rush to judgment, Microsoft was denied even the opportunity to cross-examine the six government experts whose declarations were offered in support of the decree," Mr. Holley said. "Relying on those hearsay declarations, plus more than 50 new exhibits that were never admitted into evidence, the district court proceeded to enter one of the most complex and comprehensive decrees in the history of the Sherman Act. No account was taken of the grievous harm that this decree would inflict on Microsoft and on a wide range of third parties."

But to David C. Frederick, a lawyer in the Solicitor General's office who had the task of defending the breakup order, the judges were unrelenting. They suggested to the Justice Department that at the very least, the lower court should have held a hearing to present more evidence before ordering the breakup of Microsoft.

Mr. Frederick told the judges that Microsoft should have been on notice that it faced a possible breakup because of the way the government had framed its complaint, but that argument appeared to have little sway with the judges.

"If a defendant has a right to an evidentiary hearing on a remedy because there are contested issues of fact, what difference does it make if the defendant was aware of the possibility of that form of relief?" asked Judge David S. Tatel. Moments later, Judge Edwards and Judge A. Raymond Randolph, pressed Mr. Frederick further to show the propriety of Judge Jackson's decision to have issued such a sweeping order without at least giving the company a chance to argue against it.

"The question that's being raised," Judge Douglas H. Ginsburg added, "is whether a company that has not grown through combinations can be perforated along a line proposed by the government without a hearing into the problems that might create."

Mr. Frederick replied: "I can cite you no case, Judge Ginsburg, for that proposition. What I would like to say, though, is that I'm not aware of a case in which a company has grown and protected its monopoly through the range of anticompetitive acts that were proved at trial in this case, ranging from contractual and technological bundling, from paying bounties so that competitors' products would not be permitted in the marketplace, from threatening companies with the nonlicensure of products if they did not stop competing with the monopolist's other products."

"And so, yes, it's true, Judge Ginsburg, I cannot cite you a case in which a monopolist has been broken up by the government," Mr. Frederick continued. "Nor can I cite you a case in the history of the Sherman Act in which a company has engaged in the full range of anticompetitive conduct proved at trial."

But Judge Ginsburg, a former head of the Justice Department's antitrust division, appeared unsatisfied with the response, noting that even the remedy that Judge Jackson approved did not seem to resolve the problems that the government and the judge had identified in the first place.

"Stranger, still, even after the remedy, Microsoft retains the monopoly," the judge observed.

As Microsoft concluded two days of oral arguments today it had reason for significant hope that it would be able to turn the case around. Even a partial victory may be enough to prompt the Justice Department under a new administration to seek a quick resolution of the case.

But less certain is how the 19 states that also brought suit against the company will proceed.

The states have shown their willingness to pursue the case independently of the Justice Department, and in fact, were the primary force refusing to agree to the proposed settlement being hammered out last year, before the judge's order. Those talks, between the Justice Department and Microsoft, were mediated by Chief Judge Richard A. Posner of the United States Court of Appeals for the Seventh Circuit in Chicago. The proposed settlement was shot out of a breakup, but it did place restrictions on Microsoft.

#### Napster Seeks Full Court Press

Officials at Napster say they want a full U.S. appeals court to review this month's decision by a three-judge panel that could shut down the popular song-swapping service.

The company filed papers Friday in the U.S. Court of Appeals for the Ninth Circuit in San Francisco, California, saying the injunction against the company was too broad and violated its rights to free speech.

The filing comes less than two weeks after the three-judge panel found that Napster could be held liable for copyright infringement for allowing users to swap songs on the service. The judges also found that the injunction that would effectively shut down the company was justified and necessary.

In a statement posted to the company's Web site, Napster officials said

they filed the petition because the original order violated the Digital Millennium Copyright Safety Act in that it did not take into account the law's safe harbor provisions.

For the injunction to be proper, the court should have specified any potential copyright infringements, the company argued.

Napster officials contended that the decision against the company would slow the development of new technology and violate a similar, precedent-setting U.S. Supreme Court decision that said the manufacturers of videocassette recorders could not be held liable if people used them to tape copyrighted broadcasts.

The court's injunction is improper because "an overbroad injunction that limits authorized uses in addition to unauthorized uses violates the First Amendment's requirement that restrictions on speech be narrowly tailored," Napster officials added.

Instead of shutting down the service, Napster said: "A compulsory royalty, rather than an injunction, would be the proper means to harmonize rights holder protection with promotion of new technologies used for non-commercial copying."

The San Francisco appellate court has 25 judges who could be eligible to vote on the Napster case. If even one of the judges calls for a vote to hear the case, that vote must take place. A majority of judges must vote to grant a re-hearing.

If the judges do agree to hear the case, a total of 11 judges, including the appellate panel's chief judge, would sit in what is known as an "en banc" hearing. The panel could agree to hear oral arguments and request that lawyers for Napster and the record industry file new briefs before the oral argument takes place.

Napster said that a request for a vote could happen any time during the next three to seven weeks, and, once a vote is requested, it could take place during the next six weeks.

Company officials have not said whether they would take the case to the U.S. Supreme Court if the appellate division declines to hear the appeal.

Napster's appellate filing comes at the end of a busy week for the online song-swapping company.

Last week, Napster offered a US\$1 billion, five-year deal to the recording industry if its major players agreed to allow Napster users to swap copyrighted songs. The offer has apparently fallen on deaf ears.

Napster will remain open for business until at least March 2nd, when Patel will hold a separate hearing to define the terms of the injunction.

Patel originally ordered the injunction last July, but the appellate court postponed the ruling.

Napster officials said Friday's filing is not related to that March 2nd hearing.

Napster's pledge on Friday to begin blocking access to some one million copyrighted music files immediately triggered panic among users of the wildly popular online song-swap service as days of free-for-all downloading appeared to be nearing an end.

'Oh my god! I'd better finish downloading," said one Napster devotee.

Lawyers for the Redwood City, Calif.-based company launched a last-minute gambit for corporate survival in a hearing before U.S. District Judge Marilyn Hall Patel, who is drafting the injunction which many music fans fear may unplug Napster for good.

Traffic on Napster was high during the hearing, which lasted about 2-1/2 hours. Napster has attracted about 60 million users who swap songs for free by trading MP3 files, a compression format that turns music on compact discs into small digital files.

Shortly after Friday's announcement, more than 10,000 users were sharing close to two million music files on just one of Napster's dozens of computer servers -- swapping everything from Beatles hits to obscure bluegrass mandolin pieces in an effort to build up their libraries.

'I'm sure that Napster usage will be very high this weekend and it will be interesting to see the cat-and-mouse games as users try to get around the blocking schemes," said Malcolm Maclachlan, analyst with technology tracking firm International Data Corp..

'The main effect will be to grow usage on other peer-to-peer networks like Aimster and Gnutella," he said.

Users of the service have known the system -- as they know it -- faces extinction since the company was dealt a blow on Feb. 12 by a three-judge panel from the appeals court.

The panel ruled that Napster could be held liable for copyright infringement and that Patel's injunction, ordered originally in July, was not only warranted but required.

The appeals court had put a stay on Patel's injunction in July to review the matter further.

Many people were downloading this week in anticipation of Patel's hearing. 'My sense is that people in the last few days were getting everything they wanted," Maclachlan said.

In its February ruling -- a victory for the recording industry -- the appeals court panel ordered Patel to modify the injunction requiring the record labels to identify which of their copyrights were infringed on Napster.

The hearing on Friday consisted largely of discussion about how Napster would screen its system.

'It is left to me to fashion an injunction that makes sense based on what I've heard," Patel said after more than two hours of argument from lawyers representing both Napster and the Recording Industry Association of America (RIAA), which has sued the online service for widespread copyright violations.

Patel gave no indication on when she might issue her new injunction, although court observers do not expect a long wait.

At Friday's hearing, Napster's lawyers said the company was racing to develop new software to filter out copyrighted material and hoped soon to reach agreement with the recording industry on how to identify such material.

"We have come considerably closer together on the issue of an injunction," attorney David Boies said. "Sometime this week we will have completed the software implementation so that these file names will be blocked."

Boies said that, as a start, Napster would begin blocking access to some one million copyrighted music files over the weekend -- the first step in what officials hope will be a new model under which Napster will be allowed to police itself.

"This screen will start sometime this weekend," Boies said, adding that additional titles would be added to the blocked list as quickly as possible. Lawyers for the recording industry said they had already submitted a list of some 5,600 song titles -- each of which could account for a vast number of separate files on the Napster system -- to be targeted for blocking.

The recording industry lawyers also urged Patel not to delay issuing her injunction in hopes that Napster will somehow devise a technical solution to its legal problem.

The world's biggest record labels -- including Vivendi Universal's Universal Music, Sony Music, Warner Music, EMI Group Plc and Bertelsmann AG's BMG first sued Napster in December 1999, calling it a haven for piracy that would cost it billions of dollars in lost music sales.

#### Online Business Leaders Duck U.S. Privacy Workshop

Executives of companies that routinely use personal information collected from sometimes unsuspecting online consumers are more than a little sensitive when asked to give such personal data themselves, according to an Internet privacy advocacy group.

The online privacy rights group Junkbusters sent letters to more than 50 corporate executives, including AT&T CEO Michael Armstrong, Compaq Computer president Michael Capellas, Michael Dell of Dell Computer, Ford Motor Company president Jacques Nasser, IBM chairman Louis Gerstner and Intel Corp. CEO Craig Barrett, asking if they would mind having themselves profiled for an upcoming U.S. Federal Trade Commission workshop.

The result: a resounding No. All the numbers aren't in, said Junkbusters president Jason Catlett, but the overall response has been overwhelmingly negative.

"It's been very interesting getting their responses," Catlett said. "Some of them are really horrified at the prospect of their profiles actually being seen by somebody. What I've seen coming out of this is that their concern for privacy is remarkable."

The FTC workshop, called The Information Marketplace: Merging and Exchanging Consumer Data, is scheduled for March 13th, with the goal of focusing discussion on consumer profiling. Catlett said letters were sent to executives who are prominent in the public privacy debate and who might be likely to attend the workshop.

The group explains to the invitees that it intends to seek information from a variety of commercial sources about a number of known individuals in order to "provide more accurate and specific answers" to FTC workshop questions.

"This letter asks you to indicate your disposition towards the collection of personal information about you and its dissemination to the public for discussion at the workshop," the letter says.

Recipients of the letter were told that the data to be gathered will be used primarily for marketing purposes. It includes information such as income and education level, criminal records, affiliations with political and religious organizations, magazine subscriptions, psychographic and lifestyle data, and clickstream data such as URLs viewed, IP addresses and search queries.

Junkbusters said its list of sources has not been finalized, but presented a representative sampling of the types of companies from which it expects to collect information such as Amazon, AOL Time Warner, DoubleClick's Abacus Direct Division, Equifax's National Demographics and Lifestyles, Microsoft and Martha Stewart Living Omnimedia.

The FTC reported to the U.S. Congress in June and July, 2000 on its investigations into online profiling, where companies collect personal data and form detailed profiles on users as they surf the Web. The information is used for the purpose of sending targeted online advertising.

Now, the FTC says, it wants to explore how the profiles, which may include identifying information, personal preferences and buying habits, are created and used by entities other than third-party Internet advertising networks.

Specifically, the government group will "consider whether and how consumer profiles are created through the merger and exchange of data between companies, regardless of whether the data at issue is collected or used online or offline, and how such profiles are used commercially."

Areas for discussion include how such practices affect consumers, what kind of new technologies are in development and whether they include privacy protections, and the types of notices consumers are given by companies involved in data merger and exchange activities.

The FTC also hopes to explore how business purposes are served by the creation of profiles through the merger of a company's internal information about consumers with information obtained from third parties.

The event is scheduled to be audiocast live on the Internet.

eBay has been removing auction items from its Web site to prevent copyright infringement, responding to pressure from software makers and intellectual property interests.

The company screens software, movies, music and other copyright content and has removed an average of 12 listings each day in software alone since it began in December. The company uses software to identify "red flags" of potential copyright infringement, then employees examine potentially offending listings to determine if they should be removed.

The software industry's antipiracy trade group and manufacturers of copyright products, such as Microsoft Corp., pushed for the change. The online auctioneer had been reluctant to monitor auction listings because it could be held responsible for preventing all copyright infringements - which eBay said it cannot guarantee.

But eBay officials said Wednesday that recent settlements in lawsuits dealing with intellectual property rights support their position that the company isn't liable for the content of auction listings.

A Superior Court judge ruled eBay cannot be sued for allowing people to sell bootlegged audio recordings on its Web site last November, and a San Diego judge dismissed a \$100 million class action suit against eBay last month, saying the company was not liable for the sale of phony sports memorabilia.

"We realize the concerns that intellectual property rights owners have with infringing items," said eBay spokesman Kevin Pursglove. "There's now legal foundation that demonstrates that eBay is not liable for merchandise on the site."

eBay joins other online auctioneers that have felt the pressure from software companies to do a better job of monitoring the millions of auction listings for copyright infringements.

Yahoo! Auctions started monitoring listings in January, in addition to using software to automatically identify potential copyright infringements. Amazon.com has also expressed support for prohibiting postings that infringe on intellectual property rights.

The move by eBay could help the industry tackle the problem simply because of its reach, with 2.6 million unique visitors and \$1.6 million in sales daily, said Dale Cendali, chair of New York-based law firm O'Melveny & Myers' intellectual property practice group.

"Someone like eBay is in a position to really nip it in the bud," Cendali said.

The monitoring system is run by eBay's Verified Rights Owner Program to protect intellectual property. The program is staffed by 15 full-time employees, and for software sales alone, the company has two full-time lawyers devoted to fraud prevention, as well as a software-industry liaison and a special e-mail queue for industry complaints.

As much as 90 percent of software sales on online auctions involve counterfeit or pirated products, according to the Washington-based Business Software Alliance, an industry watchdog group.

One of the problems is making piracy rules and penalties known to Internet auction users.



''A lot of people simply aren't aware of a trademark or a copyright that applies to a particular type of merchandise and they think they can sell it at will," Pursglove said.

Bob Kruger, the alliance's vice president of enforcement, said eBay's monitoring is a step in the right direction to alleviating the enormous problem. Someone who is caught posting an item that violates intellectual property rights receives an e-mail message with links to eBay's rules. Repeat offenders could have their accounts suspended or terminated.

It remains to be seen how effective monitoring systems will be in tackling copyright infringement.

''Until we see the problem resolved, the software industry is going to keep pushing for every step possible, right up to and even including a ban on software sales, if we can't accomplish our goals by other means," Kruger said.

EBay also has a policy of prohibiting the sale of anything recorded on a blank compact disc, and it stops sales of certain types of DVD players and gaming equipment that can be used with illegally copied media.

#### eBay Anti-Spam System Blocks Legitimate Bids

Due to an anti-spamming system launched by eBay last week, some sellers are finding it tougher than ever before to make a sale on the Internet auction site.

The software that eBay developed over months and installed at an undisclosed cost last Wednesday to filter junk mail -- a problem plaguing eBay community members -- apparently also blocks legitimate offers from potential buyers to sellers.

eBay spokesperson Kevin Pursglove told NewsFactor Network that the company has been actively working on a solution to the problem since receiving complaints at eBay's customer service center.

"This evening or tomorrow at the latest, we'll have the problem solved," Pursglove said Wednesday.

In the meantime, eBay intends to keep the anti-spamming software in place.

"They really should have 'fixed it' before they rolled it out," Rick Gagliano, editor of Internet auction Webzine Downtown, told NewsFactor. "Users are overwhelmingly opposed to it -- like 90 percent."

However, Pursglove told NewsFactor that fewer than 300 users complained, although several hundred thousand pieces of e-mail are processed by eBay's customer support center each week.

"That's a relatively small amount. Nevertheless, if it were just 10 or 15 [users], we would still do what we could on our end to help," he said.

Pursglove said that the two main inconveniences caused by the new junk mail filter are actually on the side of users' ISPs or users' own junk mail filters. "Either the e-mail [that users] are expecting gets bounced

to their delete file as spam, or some [users] have modified their own [anti-spamming] software, which has opened them up to junk mail," explained Pursglove.

Many eBay users are angry not only about missing mail and lost sales, but also because they feel that their opposition to the new e-mail system was not acknowledged by eBay.

"We told them about this beforehand on discussion boards, especially eBay's Discuss New Features Board. People are really tired of changes that limit their ability to do business on eBay," Gagliano said.

The new e-mail system was designed to allow users to contact each other directly through eBay's system without learning the e-mail addresses of bidders and sellers. That, eBay said in its announcement of the launch, would help block spam.

However, it would also prevent users from contacting each other off-site to circumvent paying fees to the auction giant.

E-mail controversy is not entirely new for eBay, which received public complaints after it reset mail preferences for millions of users last December. The changes effectively signed users up to receive unsolicited e-mail. Chat boards at the time reflected users' complaints, and auction guilds encouraged members to report the violation.

On the whole, February has been a long month for eBay, marked by sporadic outages and slow searches. Between February 19th and 22nd, the company experienced dozens of garbled returns, instances of auction pages not opening, and a temporary crash at about 6 p.m. EST on February 19th.

eBay also suffered through an 11-hour outage in early January.

#### Hacker Gets Hold of Top Secret U.S. Space Codes

An unidentified computer hacker has got hold of top secret U.S. computer system codes for guiding space ships, rockets and satellites, a lawyer in Sweden said Friday.

Computer experts raided the offices of an information technology company in Stockholm last month and found a copy of the source codes for the software program OS/COMET developed by U.S. firm Exigent Software Technology, Johan Starell, legal counsel for Exigent in Sweden, told Reuters.

A source code contains full details of how a software program works.

OS/COMET has been deployed by the U.S. Air Force on the NAVSTAR Global Positioning System (GPS) Colorado Springs Monitor Station, Exigent said in a statement in December.

The suspected source codes theft, carried out remotely over the Internet on Christmas Eve last year from the U.S. Naval Research Laboratory in Washington D.C., was detected on December 27.

The U.S. Federal Bureau of Investigation (FBI) was put on the case. The trail led to Freebox.com, an Internet Web server run by the Swedish IT company Carbonide, Starell said.

'A stolen source code was found on their server but nothing indicates they had anything to do with getting it there," Starell told Reuters.

Analyses of the Carbonide server accessed by the hacker known only by the username 'LEEIF" showed that the perpetrator had been able to hide his or her true identity by breaking into the account of a genuine Freebox.com client and using that person's Internet account.

'We couldn't get any further information about where it came from or find out if it had been copied and sent elsewhere," he said.

'Sweden seems like a closed chapter. We can't get any further here," he added.

The OS/COMET source code could be used by terrorists to disturb computer systems guiding various space programs or it could have been stolen in industrial espionage for commercial advantage, the Swedish tabloid Expressen reported.

#### Ad Banners Seek Home On ICQ

ICQ, the popular instant messaging service owned by AOL Time Warner's America Online, has quietly begun testing ways to add advertising banners onto its software.

Beginning last week, some ICQ members began noticing new banners that stretched across the lower portion of their message boxes. The banners are instructional areas that link to ICQ Web pages offering tips and tutorials of its service. However, they make ICQ the latest IM service to lay a groundwork on prime real estate for advertisements.

"We've always said that we are going to monetize the service so that it's beneficial to our users. So yes, we are," an AOL representative confirmed when asked if the company plans to launch third-party advertisements. No time frame was given.

The instructional blurbs can be found on the lower portion of an ICQ member's dialog window, which appears when sending instant text messages to other ICQ members. Only some users of ICQ's latest version, ICQ2000b, are affected.

AOL has sold ad banners throughout ICQ's Web site since acquiring the IM service in June 1998. But the company has so far stopped short of selling advertising on ICQ's IM interface. Adding ad banners marks the latest attempt from the online giant to develop a wider audience that it can offer its prized advertisers.

Instant messaging has become one of the most popular features created for the Internet. It lets members of the same service communicate using instant text messages to one another. People can also swap files or use other software applications through an IM service, leading many tech heavyweights such as Microsoft and Yahoo to put considerable attention on it.

AOL has always touted ICQ's large population of younger, more international members compared with its other services. ICQ has 88 million registered

members, while its counterpart, AOL Instant Messenger (AIM), has 84 million, according to a January earnings release.

AIM has already added third-party ad banners on its service, and the IM service run by rival Yahoo has pasted banners into its conference windows.

But many have been skeptical of the profit potential of instant messaging. Despite the popularity of instant messaging, many analysts have questioned whether advertising on the service would turn away people or simply be ineffective.

Already, a site called AdBusters has launched a guide dedicated to turning off the banners. This guide includes a step-by-step tutorial for finding and changing the banner controls.

The guide has the potential to become popular; some longtime ICQ members that are affected by ad banners already have begun expressing concern that their visual real estate is being taken over by corporate interests.

"The thing I dislike is that the banner ads 'magically' appeared on my system, and I didn't change any of my settings or download an update," ICQ member Matt Geary wrote in an e-mail. "In the 5 years I've used ICQ, this is the first time anything has truly annoyed me, and I consider it a major annoyance."

#### Online Ads Need to Get Bigger, Trade Group Says

Web surfers will soon find many sites with online advertisements that are bigger and -- sponsors hope -- harder to ignore after a trade group set voluntary standards on Monday for larger Web ads as Internet media companies try to combat slower online ad spending.

The standards reflect the growing belief that online advertising needs to be reinvented as Internet companies examine marketing expenses against the backdrop of Wall Street's calls for profits. The online advertising industry is also trying to convince more traditional advertisers to venture online.

"The goal of the Ad Unit Task Force is to help publishers, advertisers and their agencies make the Internet a more effective marketing medium," said Richy Glassberg, vice chairman of the Internet Advertising Bureau (IAB) and Phase2Media chairman and chief executive.

"We believe that their wide adoption will create a more effective medium, for cohesive branding and direct marketing campaigns."

Amid growing dissatisfaction with traditional banner ads, the bureau set out guidelines for seven new ad units. There are two vertical units and five rectangular horizontal units -- all larger than the banner ads that have become familiar to Web users.

Members of the bureau, including AOL Time Warner Inc.'s AOL, Yahoo Inc., DoubleClick Inc. and ExciteAtHome Corp., hope the bigger ads will re-energize the online advertising industry.

Web sites have been looking for ways to become more attractive to advertisers, who have been disappointed with response rates to Internet

banner ads. The bulked-up Web ads will take up much more space on a Web page than current banner ads, which typically run across a narrow section at the top of a page -- 234-by-60 pixels for a half banner or 468-by-40 pixels for a full banner. The larger units include a square pop up that is 250-by-250 pixels and a so-called "skyscraper unit" that measures 120-by-600 pixels. Larger ads will also allow marketers to make their online message more creative and more interactive.

Several Internet media companies have already embraced larger ads, including technology news provider CNET Networks Inc. said earlier this month that such ads would also be appearing on its Web sites. Walt Disney Internet Group has also been using larger ads.

The guidelines for some of the new units may require publishers to redesign parts of their Web sites, Glassberg added.

While it's good that publishers are experimenting with new types advertising, Jupiter Media Metrix analyst Marissa Gluck said the new units may be missing the point.

"The strength of the Internet is not creative. It's never going to be able to compete with TV or magazines. The strength is (its ability) to target segment audiences and show or demonstrate a return on investment," Gluck said. "Bigger doesn't mean better."

The Internet research firm expects 19 percent of online advertising to be comprised by ads rich in multimedia content such as graphics and music, such as some of the bigger units of advertising already seen on some publisher's sites such as CNET.

#### Internet Users Want it All - For Free

While Internet and off-line media giant AOL Time Warner and others are building on a strategy that more subscribers will lead to increased sales for related properties, a recent survey shows that a vast majority of Web users want it all for free.

Whether it's the latest music, videos or information, most Internet users in the United States think they should have free access to everything on the Web, according to the online survey by the Consumer Electronics Association (CEA), which represents about 625 industry-related companies.

Besides not wanting to pay for content, the survey also said that 92 percent oppose paying taxes for Internet access, and 75 percent don't want to pay sales tax on online purchases.

This attitude could derail the strategies of a number of large companies such as AOL Time Warner, which hopes to drive users to lucrative pay-per-view content such as movies and rock concerts.

More than three-quarters, or 77 percent, of those who responded to the survey by the Arlington, Virginia-based CEA oppose fees of any kind for downloading information, pictures, audio files and games.

"This survey underscores that we are on a collision course between intellectual property owners who want consumers to pay by the bit for access and consumers who want free access," said Gary Shapiro, president

and chief executive officer of CEA.

CEA's "Digital Download" survey was conducted online on a sample of 1,812 U.S.-based adults earlier this month. Of those surveyed, 89 percent said they had downloaded multimedia content and information in the past year.

AOL, for one, is betting its future on expanding an already huge online subscriber base so that the company can direct users to its large holdings in other media properties, ranging from music to films.

"The company believes it has a gold mine just waiting to be tapped," analyst John Corcoran of CIBC World Markets told NewsFactor Network. "As long as AOL continues to grow its dial-up business, it thinks users will naturally want to buy some of the other products."

Napster, the Redwood City, California start-up that offers free music downloads on its site, hit a sour note earlier this month when a U.S. court ruled it has been operating in violation of copyright laws. The company has offered a settlement to the five biggest record companies of about US\$1 billion, which most analysts don't think will be accepted.

The company claims to have 64 million members who have been downloading music for free -- which seems to be the most popular method of drawing users to a site -- creating headaches for online firms hoping to record a profit.

But the CEA survey also carried some potentially good news for AOL and others. It said many of the users who want everything for free also claim they will buy such products as music, videos, books, games and software -- if the price is right.

The survey showed that online households that can download items from the Internet onto their hard drives increased their purchases of similar items online, through the mail or at a store.

If users can sample content on the Internet for free, most say they are even more likely to make a purchase. In the case of online music, 33 percent say they will buy more music if they can sample it online, justifying the strategy of numerous recording artists who preview their songs on the Internet.

Whether this attitude can translate into enough sales to satisfy online content providers and the artists themselves remains to be seen.

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